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*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

July 8, 2002

WRITER'S DIRECT NUMBER:
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Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application
Appl. No. 10/067,974; Filed: February 8, 2002
For: **Polynucleotide Constructs for Increased Lysine Production**
Inventors: Li *et al.*
Our Ref: 1533.2640001/MAC/M-G

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated May 6, 2002, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors;
4. Letter to PTO Draftsman: Submission of Formal Drawings;
5. Twenty-one (21) sheets of formal drawings with Figures 1, 2A, 2B, 3A, 3B, 4, 5A, 5B, 6, 7A, 7B, 7C, 8, 9, 10, 11A, 11B, 12, 13, 14A, and 14B;
6. One (1) return postcard;
7. Our Check No. 35768 for \$960.00 to cover:

\$740.00	Filing Fee for Patent Application (37 C.F.R. § 1.16);
\$ 90.00	Fee for excess claims (37 C.F.R. § 1.16); and
\$130.00	Surcharge for late filing of Declaration (37 C.F.R. § 1.16).

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Commissioner for Patents
July 8, 2002
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala / Vincent L. Cimbala

Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

Reg. No 42,385

MAC/M-G:sep
Enclosures

SKGF_DC1-31034 1

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision



Complete if Known

Application Number	10/067,974
Filing Date	February 8, 2002
First Named Inventor	Lhing-Yew Li
Examiner Name	To Be Assigned
Group Art Unit	1645
Attorney Docket No.	1533.2640001/MAC/M-G

TOTAL AMOUNT OF PAYMENT (\$) 960.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed

☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					740.00

2. EXTRA CLAIM FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
Total Claims 25 - 20** = 5 X 18 = 90.00					
Indep. Claims 1 - 3** = 0 X = 0.00					
Multiple Dependent =					
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
108	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					90.00

** or number previously paid, if greater, For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

Name (Print/Type)	Michele A. Cimbala	Registration No. (Attorney/Agent)	33,851	Telephone	202-371-2600
Signature	<i>Michele A. Cimbala</i> Reg No. 42,385			Date	7/8/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



1533.2640001.070202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Li *et al.*

Appl. No. 10/067,974

Filed: February 8, 2002

For: **Polynucleotide Constructs for
Increased Lysine Production**

Confirmation No. 3799

Art Unit: 1645

Examiner: *To Be Assigned*

Atty. Docket: 1533.2640001/MAC/M-G

Letter to PTO Draftsman: Submission of Formal Drawings

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are twenty-one (21) sheets of formal drawings with Figures 1, 2A, 2B, 3A, 3B, 4, 5A, 5B, 6, 7A, 7B, 7C, 8, 9, 10, 11A, 11B, 12, 13, 14A, and 14B, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala/Kent L. G...
Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851
Reg. No. 42,385

Date: 7/8/02

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SKGF_DC1-31753.1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/067,974	02/08/2002	Lhing-Yew Li	1533.2640001

CONFIRMATION NO. 3799

26111
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

FORMALITIES LETTER



OC000000008034827

Date Mailed: 05/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/10/2002 MBERHE 00000071 10067974

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	90.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$90** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$960** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$90**
 - **\$90** for **5** total claims over 20.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE